

REFERENCE TITLE: emergency powers; business closure; repeal

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1048

Introduced by
Senators Petersen: Barto, Leach, Mesnard, Rogers, Townsend;
Representatives Bolick, Hoffman

AN ACT

AMENDING SECTION 26-311, ARIZONA REVISED STATUTES; RELATING TO EMERGENCY
MANAGEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 26-311, Arizona Revised Statutes, is amended to
3 read:

4 26-311. Local emergencies; declaration by mayor or chairman
5 of the board; power of political subdivisions;
6 state agency assistance

7 A. In addition to the powers granted by other provisions of the law
8 or charter, ~~whenever~~ IF the mayor of an incorporated city or town or the
9 chairman of the board of supervisors for the unincorporated ~~portion~~ AREAS
10 of the county, ~~shall deem~~ DEEMS that an emergency exists due to fire,
11 conflagration, flood, earthquake, explosion, war, bombing, acts of the
12 enemy or any other natural or man-made calamity or disaster or by reason
13 of threats or occurrences of riots, routs, affrays or other acts of civil
14 disobedience ~~which~~ THAT endanger life or property within the city, TOWN or
15 ~~the~~ unincorporated areas of the county, or portion thereof, the mayor or
16 chairman of the board of supervisors, if authorized by ordinance or
17 resolution, may DECLARE, by proclamation, ~~declare~~ an emergency or a local
18 emergency to exist.

19 B. If an emergency is declared pursuant to subsection A OF THIS
20 SECTION, the mayor or the chairman of the board of supervisors
21 shall, ~~GOVERN~~ during such AN emergency, ~~govern~~ by proclamation and shall
22 have the authority to impose all necessary regulations to preserve the
23 peace and order of the city, town, or unincorporated areas of the county,
24 including ~~but not limited to~~ THE FOLLOWING:

25 1. ~~Imposition of~~ IMPOSING curfews in all or portions of the
26 political subdivision.

27 ~~2. Ordering the closing of any business.~~

28 ~~3.~~ 2. Closing to public access any public building, street, ~~or~~
29 other public place.

30 ~~4.~~ 3. Calling ~~upon~~ ON regular or auxiliary law enforcement
31 agencies and organizations within or without the political subdivision for
32 assistance.

33 ~~5.~~ 4. Notifying the constitutional officers that the county office
34 for which they are responsible may remain open or may close for the
35 emergency.

36 C. In periods of A local emergency, including an emergency declared
37 pursuant to subsection A of this section, political subdivisions have full
38 power to provide mutual aid to any affected area in accordance with local
39 ordinances, resolutions, emergency plans or agreements therefor.

40 D. State agencies may provide mutual aid, including personnel,
41 equipment and other available resources, to assist political subdivisions
42 during a local emergency in accordance with emergency plans or at the
43 direction of the governor.